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T-888 P.12/15 F-132

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of

JOSEPH EARL MATTINGLY, JR.

Serial No. 10/630,210

Filed July 30, 2003

For KNEADING ELEMENT AND
RELATED ARTICLES

Atty Docker No. AMC.P.US0021

CERTIFICATE OF MAILING

I hereby certify that the following correspondence was deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents,
P.O. Box 1450, Alexandria, VA 22313-1450 on May 22,
2006.

Joseph Earl Mattingly
McDonald A. Miller, sec'y to Rodney L. Skoglund

TRANSMITTAL SHEET

Enclosed are the following documents:

Amendment B
Return Receipt Postcard

AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

The Commissioner is hereby authorized to charge payment of any fees associated with
this communication or credit any overpayment to Deposit Account No. 18-0987.

Respectfully submitted,

Rodney L. Skoglund

Rodney L. Skoglund, Reg. No. 36,010
Renner, Kenner, Greive, Bobak, Taylor & Weber
First National Tower, 4th Floor
Akron, Ohio 44308-1456
Telephone: (330) 376-1242
Attorney for Applicant

May 22, 2006

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contrast, the tips of the blades 4a in JP 6-90651 are substantially offset at about a 45° angle from the outer limit of the central portion of each blade.

In addition, JP 6-90651 provides a gap between its blades 4. Thus, claim 9 can further be distinguished from this reference in the fact that the kneading elements must contact one other kneading element in the kneading block. In this reference, the blades do not. Consequently, reconsideration of this rejection is earnestly solicited.

Finally, the Examiner has rejected claims 1, 3-5, 9, 11-13, and 15-19 as being anticipated by Japanese Published Application No. 4-104827 (hereinafter JP 4-104827). The Applicant respectfully traverses this rejection as well.

Again, this reference pertains to an agitator, not a screw extruder and, therefore, does not use a kneading element of the type claimed.

This notwithstanding, the Applicant notes firstly that this reference does not provide a lateral sidewall of one of the lobes of the element as being concave between the outer periphery ridge and the central portion. Instead, the reference shows a convex arc near the top of its lobes before the outer periphery ridge.

Secondly, the Applicant notes that the reference discloses an outer periphery that is much longer than the portion attaching the lobe to the central portion. This is also in contrast to the present invention and as now claimed.

Thirdly, the reference also shows a gap between its agitating bodies. Thus, claim 9 can further be distinguished from this reference in the fact that the kneading elements must contact a portion of one other kneading element in the kneading block. Consequently, reconsideration of this rejection is earnestly solicited.

In light of the foregoing, the Applicant respectfully requests that the application be reviewed again with consideration of the amendments and arguments presented. The Applicant believes that claims 1-21 and 28 are in condition for allowance and earnestly requests notice of the same. It is acknowledged that Claims 22-27 remain withdrawn from the application at present. Should the Examiner care to discuss any of the foregoing, the undersigned attorney would welcome a telephone call.

One new claim has been presented and one dependent claim has been

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converted to an independent claim. Accordingly, an additional claims fee is provided herewith. Should the fee be inadequate or overpaid, the Commissioner is hereby authorized to charge or credit Deposit Account No. 18-0987 for any underpayment or overpayment of the fees due.

Respectfully submitted,

Rodney L. Skoglund
Rodney L. Skoglund, Reg. No. 36,010
Renner, Kenner, Greive, Bobak, Taylor & Weber
First National Tower, 4th Floor
Akron, Ohio 44308-1456
Telephone: (330) 376-1242

Attorney for Applicant
Attorney Docket No. AMC.P.US0021

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Under the Peppleman Amendment Act of 1982, no person may practice before the USPTO without first being registered as a Patent Agent or Attorney & with USPTO control number.

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Superseded by Form PTO-876

PATENT APPLICATION FEE DETERMINATION RECORD					
CLAIMS AS FILED - PART I			OTHER THAN SMALL ENTITY		
(Column 1)		(Column 2)		(Column 3)	
FOR	NUMBER FILED	NUMBER EXTRA	SMALL ENTITY	OR	OTHER THAN SMALL ENTITY
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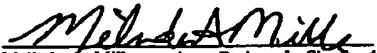
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In the application of) Art Unit 1723
JOSEPH EARL MATTINGLY, JR.)
Serial No. 10/630,210) C. Cooley, Examiner
Filed July 30, 2003)
For KNEADING ELEMENT AND)
RELATED ARTICLES)
Atty. Docket AMC.P.US0021)

CERTIFICATE OF MAILING

I hereby certify that the following correspondence was deposited with the United States Postal Service as first class mail in an envelope addressed to: MAIL STOP AMENDMENT, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 24 day of May 2006.


Melinda A. Miller, sec'y to Rodney L. Skoglund

AMENDMENT B

In response to the Office Action dated February 21, 2006, the Applicant, through his attorney, responds as follows:

Amendments to the claims being on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.

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